

REMARKS

1. Present Status of Patent Application

In response to the Office Action dated October 9, 2003, Applicant respectfully requests reconsideration based on the following amendments and remarks. Claims 1-33 remain pending in the present application. More specifically, claim 28 is directly amended. It is believed that the foregoing amendment adds no new matter to the present application. Applicant respectfully submits that the claims as presented are in condition for allowance.

2. Response To Rejections of Claims 1-7, 13-19, 24-26, and 28-33 Under 35 U.S.C. §102(e)

Claims 1-7, 13-19, 24-26, and 28-33 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by *Locklear* (U.S. Patent No. 6,252,878). For a proper rejection of a claim under 35 U.S.C. §102, the cited references must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

a. Claim 1

As provided in independent claim 1, Applicant claims:

1. A local area network (LAN) to wide area network (WAN) communication system comprising:
 - a first computer;
a first communication device electrically coupled to the first computer configured to provide communications over a LAN, the first communication device in communication with a WAN via a first communication link;
 - a second computer; and
 - a second communication device electrically coupled to the second computer configured to provide communications over the LAN between the second and the first computers, wherein the first computer is configured to assign at least one virtual connection for each of the first and second computers to enable the first computer to route WAN data traffic across the LAN.

(Emphasis added).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Locklear* does not disclose, teach, or suggest anywhere in the specification or in the

figures at least “a first communication device electrically coupled to the first computer configured to provide communications over a LAN, the first communication device in communication with a WAN via a first communication link.” For example, the Office Action indicates that a first communication device is disclosed by the “connection between server 16 and LAN 40 of the figure 1” which appears to be the LAN I/F 110 in FIG. 2. As shown by FIG. 2, however, the LAN I/F 110 is not in communication with a WAN via a first communication link (which the Office Action indicates is disclosed by link 52). For at least this reason, claim 1 is not anticipated by *Locklear*.

b. Claims 2-12

Because independent claim 1 is allowable over the prior art of record, dependent claims 2-12 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims contain all the elements and features of independent claim 1. *See In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

c. Claim 13

As provided in independent claim 13, Applicant claims:

13. A method for managing bi-directional local area network (LAN) to wide area network (WAN) communication system comprising:
using a master computer to assign at least one virtual connection to each computer in communication with the LAN;
receiving a downstream signal (WAN to LAN) at a transceiver coupled to the master computer;
forwarding the downstream signal to the master computer;
identifying at least one computer designated to receive the downstream signal;
forwarding the downstream signal to the at least one designated computer on the LAN;
receiving an upstream signal (LAN to WAN) at the master computer; and
forwarding the upstream signal from the master computer to the transceiver.

(Emphasis added).

Applicant respectfully submits that independent claim 13 is allowable for at least the reason that *Locklear* does not disclose, teach, or suggest anywhere in the specification or in the figures at least the step of “using a master computer to assign at least one virtual connection to each computer in communication with the LAN.” For example, *Locklear* states that “access server 16 receives a message indicating the initiation of a session on link 52 . . . [and] communicates the message to an associated port 102 of switch fabric 104.” Further, *Locklear* states: “Switch fabric 104 then establishes a session and assigns an address (e.g., virtual path, virtual channel) to be used in future communications with the session.” Col. 5, lines 13. “Upon expiration of a session (e.g., time out, user termination, equipment malfunction) access server 16 removes the entry in session table 122 associated with the particular session ID 200.” Col. 6, lines 1-4. *See also* col. 4, lines 53-58; col. 6, lines 50-67. Accordingly, the communication system in *Locklear* seemingly establishes a session after receiving a message and then assigns an address to the session after the session is created. Upon the termination of the session, however, the address is removed and cleared. Therefore, *Locklear* does not disclose, teach, or suggest “using a master computer to assign at least one virtual connection to each computer in communication with the LAN.” (Emphasis added). For at least this reason alone, claim 13 is not anticipated by *Locklear*.

Hence, the rejection of claim 13 should be withdrawn.

d. Claims 14-27

Because independent claim 13 is allowable over the prior art of record, dependent claims 14-27 (which depend from independent claim 13) are allowable as a matter of law for at least the reason that the dependent claims contain all the steps and features of independent claim 13.

e. Claim 28

As provided in independent claim 28, Applicant claims:

28. A local area network (LAN) to wide area network (WAN)
communication system comprising:

means to complete a first communication link between a master computer
and the WAN;

means to communicate between the master computer and each remaining device integrated on the LAN and assign at least one virtual connection to each device integrated on the LAN;

means to identify and forward LAN to WAN data transfers via the first communication link; and

means to selectively receive WAN to LAN data transfers at each device integrated on the LAN.

(Emphasis Added).

Applicant respectfully submits that independent claim 28 is allowable for at least the reason that *Locklear* does not disclose, teach, or suggest anywhere in the specification or in the figures at least “means to communicate between the master computer and each remaining device integrated on the LAN and assign at least one virtual connection to each device integrated on the LAN.”

For example, *Locklear* states that “access server 16 receives a message indicating the initiation of a session on link 52 . . . [and] communicates the message to an associated port 102 of switch fabric 104.” Further, *Locklear* states: “Switch fabric 104 then establishes a session and assigns an address (e.g., virtual path, virtual channel) to be used in future communications with the session.” Col. 5, lines 13. “Upon expiration of a session (e.g., time out, user termination, equipment malfunction) access server 16 removes the entry in session table 122 associated with the particular session ID 200.” Col. 6, lines 1-4. *See also* col. 4, lines 53-58; col. 6, lines 50-67. Accordingly, the communication system in *Locklear* seemingly establishes a session after receiving a message and then assigns an address to the session after the session is created. Upon the termination of the session, however, the address is removed and cleared. Therefore, *Locklear* does not disclose, teach, or suggest “using a master computer to assign at least one virtual connection to each device integrated on the LAN.” (Emphasis added). For at least this reason alone, claim 28 is not anticipated by *Locklear*.

Hence, the rejection of claim 28 should be withdrawn.

f. Claims 29-33

Because independent claim 28 is allowable over the prior art of record, dependent claims 29-33 (which depend from independent claim 28) are allowable as a matter of law for at least the reason that the dependent claims contain all the steps and features of independent claim 28.

3. Response to Rejection of Claims 8-10, 20-22, and 27 Under 35 U.S.C. §103

In the Office Action, claims 8-10, 20-22, and 27 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Locklear* in view of *Olarig* (U.S. Patent No. 6,370,656). It is well established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. *See, e.g., In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

a. Claims 8-10

Because independent claim 1 is allowable over the prior art of record, dependent claims 8-10 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims contain all the elements and features of independent claim 1. Additionally, Applicant respectfully submits that claims 8-10 are allowable for at least the reason that *Locklear* in view of *Olarig* does not disclose, teach, or suggest all of the elements and features of claims 8-10.

For example, the feature “wherein a master computer and a slave computer are selected from the first and second computers using one or more initialization algorithms,” as included in claims 8-10, is not disclosed, taught, or suggested by either *Locklear* or *Olarig*. Accordingly, the Applicant agrees with the statement in the Office Action that the “Locklear reference fails to disclose a master computer and a slave computer are selected from the first and second computers using one or more initialization algorithms.” With respect to *Olarig*, Applicant respectfully submits that *Olarig* does not disclose, suggest, or teach the aforementioned feature either.

Olarig apparently discloses a communication system for monitoring computer components that transmit heartbeat signals. See FIGs. 7-8; col. 20-22. *Olarig* does not disclose, teach, or suggest a master/slave relationship between computer 704 and computer 100 in FIG. 7 or computer 800 and computer 804 in FIG. 8. Particularly, the feature “wherein a master computer and a slave computer are selected from the first and second computers using one or more initialization algorithms” is not disclosed, suggested, or taught by *Olarig*. Therefore, *Locklear* in view of *Olarig* does not disclose the claimed invention. Correspondingly, additional features of claim 8-10 are also not disclosed, suggested, or taught by *Locklear* in view of *Olarig*.

Hence, the rejection of claims 8-10 should be withdrawn.

b. Claims 20-22

Because independent claim 13 is allowable over the prior art of record, dependent claims 20-22 (which depend from independent claim 13) are allowable as a matter of law for at least the reason that the dependent claims contain all the elements and features of independent claim 13. Additionally, Applicant respectfully submits that claims 20-22 are allowable for at least the reason that *Locklear* in view of *Olarig* does not disclose, teach, or suggest all of the elements and features of claims 20-22.

For example, the feature “wherein a master computer is selected from the local area network (LAN) connected computers using at least one initialization algorithm,” as included in claims 20-22, is not disclosed, taught, or suggested by either *Locklear* or *Olarig*. Accordingly, the Applicant agrees with the statement in the Office Action that the “*Locklear* reference fails to disclose a master computer and a slave computer are selected from the first and second computers using one or more initialization algorithms.” With respect to *Olarig*, however, Applicant respectfully submits that *Olarig* does not disclose, suggest, or teach the aforementioned feature either.

Olarig apparently discloses a communication system for monitoring computer components that transmit heartbeat signals. See FIGs. 7-8; col. 20-22. *Olarig* does not disclose, teach, or suggest a master/slave relationship between computer 704 and computer 100 in FIG. 7 or computer 800 and computer 804 in FIG. 8. Particularly, the feature “wherein a master

computer is selected from the local area network (LAN) connected computers using at least one initialization algorithm” is not disclosed, suggested, or taught by *Olarig*. Therefore, *Locklear* in view of *Olarig* does not disclose the claimed invention. Correspondingly, additional features of claim 8-10 are also not disclosed, suggested, or taught by *Locklear* in view of *Olarig*.

Hence, the rejection of claims 20-22 should be withdrawn.

c. Claim 27

Because independent claim 13 is allowable over the prior art of record, dependent claim 27 (which depends from independent claim 13) is allowable as a matter of law for at least the reason that the dependent claim contains all the elements and features of independent claim 13. Additionally, Applicant respectfully submits that claim 27 is allowable for at least the reason that *Locklear* in view of *Olarig* does not disclose, teach, or suggest all of the elements and features of claim 27.

For example, the feature “wherein the master computer assigns at least one asynchronous transfer mode virtual connection (ATM VC) to each computer in communication with the local area network (LAN),” as recited in claim 27, is not disclosed, taught, or suggested by either *Locklear* or *Olarig*. Further, the feature “wherein downstream data transfers designated for slave computers are not processed by the master computer,” as recited in claim 27, is not disclosed, taught, or suggested by either *Locklear* or *Olarig*. Accordingly, the Applicant agrees with the statement in the Office Action that the “Locklear reference fails to disclose a master computer and a slave computer are selected from the first and second computers using one or more initialization algorithms.” With respect to *Olarig*, however, Applicant respectfully submits that *Olarig* does not disclose, suggest, or teach the aforementioned feature either. *Olarig* apparently discloses communication system for monitoring computer components that transmit heartbeat signals. See FIGs. 7-8; col. 20-22. *Olarig* does not disclose, teach, or suggest a master/slave relationship between computer 704 and computer 100 in FIG. 7 or computer 800 and computer 804 in FIG. 8. Particularly, the feature “wherein downstream data transfers designated for slave computers are not processed by the master computer” is not disclosed, suggested, or taught by *Olarig*. Therefore, *Locklear* in view of *Olarig* does not disclose the claimed invention.

Correspondingly, additional features of claim 8-10 are also not disclosed, suggested, or taught by *Locklear* in view of *Olarig*.

Moreover, the proposed combination of *Locklear* and *Olarig* is improper. Although the Office Action indicates that the access server 16 in *Locklear* is the equivalent of the claimed master computer, *Locklear* apparently discloses that part of the functionality of an access server 16 is to process downstream data transfers which contradicts and teaches away from the features of claim 27 which states that “downstream data transfers designated for slave computers are not processed by the master computer.” See, e.g., FIG. 4. Accordingly, *Locklear* does not provide the necessary teaching or suggestion to combine the teachings of *Locklear* with *Olarig*. For this reason alone, the proposed combination does not disclose the claimed invention.

Hence, the rejection of claim 27 should be withdrawn.

4. Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-33 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel R. McClure', is written over a horizontal line.

Daniel R. McClure, Reg. No. 38,962

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

Suite 1750

100 Galleria Parkway N.W.

Atlanta, Georgia 30339

(770) 933-9500